

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

LINDA BIANCO,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 4:12-cv-0570-GRA-TER
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security,	)	<b><u>ORDER</u></b>
	)	
Defendant.	)	

Upon consideration of Defendant's Motion for Entry of Judgment with Order of Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and Plaintiff's consent to said motion to remand, the Court hereby **REVERSES** the Commissioner's decision in this matter and **REMANDS** the cause to the Defendant for further administrative proceedings as set forth below. *See Shalala v. Schaefer*, 509 U.S. 292 (1993).<sup>1</sup>

Upon remand by the Court, the Appeals Council will remand the case to an Administrative Law Judge (ALJ) to hold a de novo hearing and issue a new decision regarding Plaintiff's eligibility for disability benefits. The Appeals Council will instruct the ALJ to: (1) update the treatment records on the claimant's alleged impairments; (2) evaluate the claimant's alleged mental impairments pursuant to the special technique; (3) evaluate the medical opinions, including the assessments of the State agency consultants, and give weight to each opinion; (4) further consider the residual functional capacity on the updated record, providing the rationale for the assessed limitations; (5) further consider the credibility of the claimant's allegations; (6) further consider whether the claimant has past relevant work she is capable of performing; and (7) as appropriate,

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<sup>1</sup>The Clerk of the Court will enter a separate judgment pursuant to Fed. R. Civ. P. 58.

secure supplemental evidence from a vocational expert to clarify the effect of the assessed limitations on the claimant's occupational base.

**AND IT IS SO ORDERED.**

s/Thomas E. Rogers, III  
Thomas E. Rogers, III  
United States Magistrate Judge

September 25, 2012.  
Florence, South Carolina.